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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Roger Y. Tsien et al.) Group Art Unit 1645
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App. No. : 09/865,291)
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Filed : May 24, 2001)
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For : EMISSION RATIO METRIC)
INDICATORS OF)
PHOSPHORYLATION)
)
Examiner : Unknown)
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INFORMATION DISCLOSURE STATEMENT

United States Patent and Trademark Office
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Dear Sir:

Enclosed is form PTO-1449 listing 63 references that are also enclosed. This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Applicants note that the citation in reference number 63 on form PTO-1449 was published after the filing date of the present application (Sato *et al.*, *Nature Biotechnology* 20:287-294 [March 2002]). However, in compliance with the Duty of Disclosure as provided in 37 C.F.R. § 1.56, Applicants hereby make the Examiner aware that the Applicants had received confidential correspondence about, but not before, January 18, 2001, regarding confidential review of the Sato *et al.* manuscript prior to its publication.

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Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 16, 2002

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